UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,222	09/13/2000	John K. Overton	10406/43	7777

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EXAMINER
KAPADIA, MILAN S

ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *13 September 2000*.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-16* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-16* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f)..
    a) ☐ All b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _7_.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1.   This communication is in response to the application filed 18 October 2000.

Claims 1-26 are pending.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

3.   Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

(A)   Claim 14 recites the limitation "the second client entity " in lines 4-5. There is

insufficient antecedent basis for this limitation in the claim. For the purpose of prior art

rejection, the examiner assumes "the second client entity" to be "the client entity."

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1, 5-7, and 9-16 are rejected under 35 U.S.C. 102(b) as being anticipated by

Edelstein et al. (5,764,906).

(A)   As per claim 1, Edelstein teaches a network distributed tracking wire transfer protocol

comprising:

        a variable length identification string, the identification string for specifying the identity

of an entity in a distributed data collection (Edelstein; abstract and col. 11, line 66-cpl. 12, line

1); and

        a variable length location string, the location string for specifying the network location of

data associated with an entity in a distributed data collection (Edelstein; col.4, lines 8-11 and

col.12, lines 22-45);

        wherein a relationship between the identification string and the location string can be

spontaneously and dynamically created and modified (Edelstein; col. 8, lines 46-54 and col. 10,

line 64-col. 11, line 9).

(B)   As per claim 5, Edelstein teaches a system having a network distributed tracking wire

transfer protocol for storing and identifying data with a distributed data collection, comprising:

        a data repository, the data repository for storing data in a distributed data collection

(Edelstein; col. 7, lines 30-37);

        a client entity, the client entity for manipulating data in the distributed data collection

(Edelstein; col. 6, lines 32-45); and

a first server entity, the first server entity operative to locate data in the distributed data collection (Edelstein; col. 12, lines 10-19; the Examiner interprets the "local server" as the "first server entity");

wherein the client entity transmits an identifier string to the first server entity along with a client request and the first server entity provides at least one location string to the client entity in response thereto)Edelstein; col. 11, line 66-12, line 1 and col. 12, lines 10-45).

(C)   As per claim 6, Edelstein teaches a second server entity coupled to the first server entity (Edelstein; col. 12, lines 22-45; the Examiner interprets the "root server" as the "second server entity").

(D)   As per claim 7, Edelstein teaches wherein the first server entity maps the identifier string received from the client entity to the at least one location string (Edelstein; col.4, lines 8-11 and col.12, lines 10-19).

(E)   As per claim 9, Edelstein teaches wherein the first server entity transmits the client request to the second server entity if the first server entity cannot provide the at least one location string to the client entity (Edelstein; col. 12, lines 19-22).

(F)   As per claim 10, Edelstein teaches wherein the second server entity maps the identifier string received from the first server entity to at least one location string (Edelstein; col. 12, lines 22-45).

(G)   As per claim 11, Edelstein teaches wherein the second server entity transmits the at least

one location string to the first server entity for transmission to the client entity (Edelstein; col.

12, lines 22-45).

(H) `As per claim 12, Edelstein teaches a method for storing and retrieving tracking information

over a network (Edelstein; col. 3, lines 40-43) using a wire transfer protocol, comprising the

steps of:

        providing a location string and an identification string, the location string for specifying

the location of data associated with an entity in a distributed data collection and the identification

string for specifying the identification of an entity in the distributed data collection (Edelstein;

col. 4, lines 8-11, col. 4, lines 46-52, and col. 7, lines 31-55);

        storing information at a data repository entity by associating an identification string with

each particular stored unit of information and by mapping the identification string to at least one

location string associated with the data repository entity, the identification string and the at least

one location string for a particular unit of information being stored at a first server entity coupled

to the data repository entity (Edelstein; col. 7, lines 31-55; the Examiner interprets the "local

server" as the "first server entity");

        transmitting a request from a client entity to the first server entity to retrieve at least one

location string associated with a particular stored unit of information, the request including the

identification string associated with the particular stored unit of information; and receiving the

request at the first server entity and responding to the client entity by providing at least one

location string associated with the particular stored unit of information to the client entity
(Edelstein; col. 12, lines 12-19).

(I)   As per claim 13, Edelstein teaches the step of transmitting the request to a second server
entity prior to responding to the client entity, the second server entity coupled to the first server
entity and having stored therewith the mapping of the identification string and the at least one
location string for the particular unit of information (Edelstein; col. 12, lines 21-45; the Examiner
interprets the "root server" as the "second server entity").

(J)   As per claim 14, Edelstein teaches wherein the second server entity responds to the client
entity by providing the location string associated with the particular stored unit of information to
the client entity (Edelstein; col. 12, lines 22-45).

(K)   As per claim 15, Edelstein teaches wherein the lengths of the identification string and the
at least one location string are variable (Edelstein; col. 4, lines 7-11 and col. 4, line 64-col. 5, line
10).

(L)   As per claim 16, Edelstein teaches the step of spontaneously and dynamically
manipulating the mapping of identification string to a location string (Edelstein; col. 8, lines 46-
54 and col. 10, line 64-col. 11, line 9).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edelstein et al.

(5,764,906) as applied to claims 1 and 6 above and further in view of Call (6,418,441).

(A)   As per claims 2-4, Edelstein fails to expressly teach wherein the protocol is application

independent, organizationally independent, and geographically independent. However, this

feature is old and well known in the art, as evidenced by Call's teachings with regards to wherein

the protocol is application independent, organizationally independent, and geographically

independent (Call; abstract and col. 4, lines 1-19). It is respectfully submitted, that it would have

been obvious, to one having ordinary skill in the art at the time the invention was made, to

expand the system taught by Edelstein with Call's teaching with regards to this limitation, with

the motivation of providing a low-cost and worldwide information retrieval system (Hunt; col. 4,

lines 3-18).

8.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edelstein et al.

(5,764,906) as applied to claim 7 above and further in view of official notice.

(A)   As per claim 8, Edelstein fails to expressly teach wherein the mapping is performed using a hash operation. However, the Examiner takes Official Notice (see MPEP § 2144.03) that the use of a s hashing operation in a computer networking environment was well known in the art at the time the invention was made. The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03. However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3) states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

        Thus, it is respectfully submitted, that it would have been obvious, to one having ordinary skill in the art at the time the invention was made, to provide the mapping as taught by Edelstein by using well-established hashing operation, with the motivation of providing a highly efficient searching algorithm that enables direct or almost direct access to the target element.

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not applied art teaches a routing string indicative of a location of a

database on a web associated with a product in commerce (6,377,986); an object oriented

distributed computing system processing request to other object model with code mapping by

object managers located by manager of object managers (5,475,817); and a method of accessing

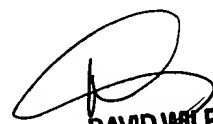a target entity over a communications network (6,131,095).

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Milan S Kapadia whose telephone number is 703-305-3887. The

examiner can normally be reached on Monday through Friday, 8:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Wiley can be reached on 703-308-5221. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-872-9306 for regular

communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-308-1113.

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February 19, 2004

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100